

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

MOUNTAIN VALLEY PIPELINE, L.L.C., : Civil Action No. 2:17-cv-04214

Plaintiff, : Judge John T. Copenhaver, Jr.

vs. :

AN EASEMENT TO CONSTRUCT, :
OPERATE AND MAINTAIN A 42-INCH :
GAS TRANSMISSION LINE ACROSS :
PROPERTIES IN THE COUNTIES OF :
NICHOLAS, GREENBRIER, MONROE, :
AND SUMMERS, WEST VIRGINIA, et al. :

Defendants. :

**PLAINTIFF MOUNTAIN VALLEY PIPELINE, LLC'S
NOTICE OF DECISION IN RELATED CASE**

Plaintiff Mountain Valley Pipeline, LLC (“MVP”) files this Notice of Decision in Related Case in connection with an Order and Memorandum Opinion issued January 31, 2018, by United States District Judge Elizabeth K. Dillon in a related action pending in the United States District Court for the Western District of Virginia (the “Related Action”). The Related Action involves the condemnation of easements for the MVP Project on properties located in Virginia. In that action, like this one, MVP moved for partial summary judgment and immediate access. Also in that action, landowners filed Motions for Stay and Motions to Dismiss raising similar issues to those filed in this action.

On January 31, 2018, Judge Dillon issued an Order and Memorandum Opinion in the Related Action, copies of which are attached as Exhibits 1 and 2, denying the Motions for Stay, denying the Motions to Dismiss, granting MVP’s Motion for Partial Summary Judgment and, applying the four factors for a preliminary injunction in *Winter v. Natural Defense Council, Inc.*,

555 U.S. 7, 22 (2008), granting access to MVP conditioned upon the submission of additional information regarding security.

Given that the evidence as to the *Winter* factors in this case is essentially identical to that in the Related Action, it is MVP's position that the Order in the Related Action may assist in this Court's review and consideration of the pending motions.

Dated: February 1, 2018

REED SMITH LLP

/s/ Nicolle R. Snyder Bagnell
Nicolle R. Snyder Bagnell
W.V. I.D. No. 11081
Reed Smith Centre
225 Fifth Avenue
Pittsburgh, PA 15222
(412) 288-3131
nbagnell@reedsmit.com

Counsel for Mountain Valley Pipeline, LLC

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing has been served via the Court's ECF system on all counsel of record and by U.S. First Class Mail upon the following:

Virginia D. and Connie McClung 453 Power Plant Rd Summersville, WV 26651-2031	Caitlyn A. Gragg P.O. Box 58 Alderson, WV 24910-0058
Artie Orlena Robinson and David Lane Robinson 5907 Ward Road Nettie, WV 26681-4563	Robert Jackson Holt 1611 Smith Bridge Road Chadds Ford, PA 19317-9765
Estate of C. L. Keener 118 Dawson Road Meadow Bridge, WV 25976-9424	Philip J. Harrah 78 Starling Lane Sandstone, WV 25985-9419
James Keener 38692 Adains Road Willoughby, OH 44094	Quinwood Coal Company f/k/a Alex Energy, LLC f/k/a Alex Energy, Inc. f/k/a Green Valley Coal Company, LLC 1415 Louisiana Street, Suite 2400 Houston, TX 77002-7361
Johnnie Ray Keener, Brande Nicole Keener, and David Harmon 118 Dawson Road Meadow Bridge, WV 25976-9424	The Paulette A. Sears Family Trust 222 Navajo Street Tavernier, FL 33070-2119
Silas Steven and Laurel Tucker 5354 Forest Brook Drive Milton, FL 32583-6224	Heirs of J.H. Harrah P. O. Box 161 Meadow Bridge, WV 25976-0161
David R. Hughes PO Box 122 Greenville, WV 24945	Estate of Dannie Lee Spence Danny Spence, Jr. P.O. Box 292 Peterstown, WV 24963-0292
Doreen S. Allen, Fredereck M. Osborne, Jo Lynn Blankenship, Mickey D. Osborne, and Scott S. Osborne 377 Dark Hollow Rd Rainelle, WV 25962-9713	

Dated: February 1, 2018

/s/ Nicolle R. Snyder Bagnell